

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

KATIA HILLS,

Plaintiff,

-against-

AT&T MOBILITY SERVICES LLC a/k/a
AT&T MOBILITY LLC,

Defendant.

Civil No.: 3:17-cv-00556-JD-MGG

**DECLARATION OF GILLIAN THOMAS IN SUPPORT OF PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

GILLIAN THOMAS, an attorney duly admitted to practice before the United States District Court for the Northern District of Indiana, *pro hac vice*, hereby declares under the penalty of perjury that the following statements are true and correct pursuant to 28 U.S.C. § 1746:

1. I am a Senior Staff Attorney at the American Civil Liberties Union Women's Rights Project, which is counsel of record for the Plaintiff in this case.
2. I submit this declaration in support of Plaintiff's Motion for Partial Summary Judgment.
3. Pursuant to Northern District of Indiana Local Rule 5-4(a)(8), attached hereto is an index of all exhibits described in this Declaration.
4. Attached hereto as **Exhibit A** is a true and accurate copy of Plaintiff's employment offer letter, dated March 24, 2014, as produced by Defendant in this action, with Plaintiff's home address redacted.

5. Attached hereto as **Exhibit B** is a true and accurate copy of Plaintiff's SAP History Data, produced in this case on October 30, 2019, with Plaintiff's Social Security number redacted.

6. Attached hereto as **Exhibit C**, and filed provisionally under seal, is a true and accurate copy of Plaintiff's medical records from ObGyn Associates of Northern Indiana, produced by that entity on May 28, 2015, as produced by Defendant in this action.

7. Attached hereto as **Exhibit D** is a true and accurate copy of excerpts from the transcript of the July 8, 2020 Deposition of Katia Hills in this action.

8. Attached hereto as **Exhibit E** is a true and accurate copy of the "Termination Document" regarding Plaintiff, dated July 16, 2015, as produced by Defendant in this action.

9. Attached hereto as **Exhibit F** is a true and accurate copy of the Retail Sales Consultant job description, dated June 15, 2014, as produced by Defendant in this action.

10. Attached hereto as **Exhibit G** is a true and accurate copy of AT&T's 2011 Sales Attendance Guidelines ("SAG") Policy, dated October 17, 2011, as produced by Defendant in this action.

11. Attached hereto as **Exhibit H** is a true and accurate copy of AT&T's 2015 SAG Policy, dated May 1, 2015, as produced by Defendant in this action.

12. Attached hereto as **Exhibit I** is a true and accurate copy of excerpts from the transcript of the October 23, 2020 Deposition of Defendant's 30(b)(6) corporate designee, Heather Miller, in this action.

13. Attached hereto as **Exhibit J** is a true and accurate copy of the [Company Owned Retail] COR Centralized Attendance Group ("CAG") PowerPoint, dated May 2014, as produced by Defendant in this action.

14. Attached hereto as **Exhibit K** is a true and accurate copy of excerpts from the transcript of the May 29, 2020 Deposition of Defendant's 30(b)(6) corporate designee, Heather Miller, in *Allen v. AT&T Mobility Services, LLC*, No. 1:18-cv-03730 (N.D. Ga.), in which I am counsel of record. Defendant's counsel has consented to Plaintiff's introduction of Miller's testimony from the *Allen* case to the extent it concerns Defendant's policies, procedures, and practices that were implemented during the relevant time period in this case.

15. Attached hereto as **Exhibit L** is a true and accurate copy of an employee attendance report for Plaintiff, dated August 30, 2016, as produced by Defendant in this action.

16. Attached hereto as **Exhibit M** is a true and accurate copy of excerpts from the transcript of the September 8, 2020 Deposition of Dion McGlown in this action.

17. Attached hereto as **Exhibit N** is a true and accurate copy of excerpts from the transcript of the August 20, 2020 Deposition of Jason Jenkins in this action.

18. Attached hereto as **Exhibit O** is a true and accurate copy of notes recorded in the FMLA Case Manager Tool, dated December 23, 2014 to May 26, 2015, as produced by Defendant in this action.

19. Attached hereto as **Exhibit P** is a true and accurate copy of a Counseling Notice to Plaintiff, dated December 27, 2014, as produced by Defendant in this action.

20. Attached hereto as **Exhibit Q** is a true and accurate copy of a Written Warning to Plaintiff, dated February 14, 2015, as produced by Defendant in this action.

21. Attached hereto as **Exhibit R** is a true and accurate copy of a Final Written warning to Plaintiff, dated April 24, 2015, as produced by Defendant in this action.

22. Attached hereto as **Exhibit S**, and filed provisionally under seal, is a true and accurate copy of Plaintiff's medical records from St. Joseph Regional Medical Center, as produced by Plaintiff in this action.

23. Attached hereto as **Exhibit T** is a true and accurate copy of Plaintiff's "Employee Absence Calendar," from January 2014 to December 2015, as produced by Defendant in this action.

24. Attached hereto as **Exhibit U** is a true and accurate copy of an AT&T FMLA Operations letter to Plaintiff, dated May 13, 2015, as produced by Defendant in this action, with Plaintiff's home address redacted.

25. Attached hereto as **Exhibit V** is a true and accurate copy of Plaintiff's FMLA Eligibility Form, dated May 19, 2015, as produced by Defendant in this action, with Plaintiff's home address redacted.

26. Attached hereto as **Exhibit W** is a true and accurate copy of an "Employer Response to Employee Request for Family Medical Leave" for Plaintiff's May 4, 2015 absence, dated June 24, 2015, as produced by Defendant in this action, with Plaintiff's home address redacted.

27. Attached hereto as **Exhibit X** is a true and accurate copy of "Employer Response to Employee Request for Family Medical Leave" for Plaintiff's May 16, 2015, absence, dated June 24, 2015, as produced by Defendant in this action, with Plaintiff's home address redacted.

28. Attached hereto as **Exhibit Y** is a true and accurate copy of email correspondence regarding Plaintiff's termination among AT&T's CAG personnel, Dion McGlown, and Jason Jenkins, dated July 2, 2015 and July 3, 2015, as produced by Defendant in this action.

Date: November 15, 2021

/s/ Gillian Thomas

Gillian Thomas

CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2021, I caused the foregoing *Declaration of Gillian Thomas in Support of Plaintiff's Motion for Partial Summary Judgment* to be electronically filed with the Clerk of the Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record.

/s/Gillian Thomas

Gillian Thomas